

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ALEXANDER SEGOVIA,

Plaintiff,

v.

A&D Service Corporation,  
Rosemary Ruiz, and Anael Ruiz,

Defendants.

C.A. No.

**NOTICE OF REMOVAL**

Defendants, A&D Construction Service Corporation, Rosemary Ruiz and Anael Ruiz (collectively the “Defendants”), file this Notice of Removal in accordance with 28 U.S.C. §§ 1331, 1441, and 1446, and hereby remove this action from the Superior Court of the Commonwealth of Massachusetts, Suffolk County (the “Superior Court”) to the United States District Court for the District of Massachusetts. As their reasons for removal, Defendants state as follows:

1. On or about February 11, 2019, Plaintiff Alexander Segovia (“Plaintiff”) commenced a civil action against Defendants in the Superior Court titled *Alexander Segovia v. A&D Service Corporation, Rosemary Ruiz, and Anael Ruiz*, Civil Action Number 1984CV00476 (the “Pending Action”).
2. Defendants first received a copy of the Complaint on February 26, 2019. Therefore, this Notice of Removal is timely. *See* 28 U.S.C. § 1446(b).

3. This Court has federal question jurisdiction over the Pending Action pursuant to 28 U.S.C. § 1331 because Plaintiff alleges in Count I of his Complaint that Defendants violated the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*
4. Attached hereto as Exhibit A is a true and accurate copy of all pleadings (including the Summons and Complaint) served on Defendants in the Pending Action. See 28 U.S.C. 1446(a).
5. The Pending Action is properly removed to this Court under 28 U.S.C. §§ 1441 and 1446 because it is pending in Suffolk County, Massachusetts, which lies within this District.
6. A true and accurate copy of this Notice of Removal has been served this day by regular mail upon the Civil Clerk of the Middlesex Superior Court for filing in accordance with 28 U.S.C. § 1446(d). This Notice of Removal and a copy of the Notice of Filing of Notice of Removal have also been served this day via first class mail upon Plaintiff's counsel.
7. By filing this Notice of Removal, Defendants do not waive their right to object to service of process, the sufficiency of process, jurisdiction over the person, or venue, and specifically reserve the right to assert any defenses and/or objections to which they may be entitled.

Respectfully submitted,  
A&D Construction Service Corporation,  
Rosemary Ruiz, and Anael Ruiz, Defendants,  
By their attorneys,

Dated: March 18, 2019

/s/ Michaela C. May  
Todd J. Bennett (BBO# 643185)  
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**CERTIFICATE OF SERVICE**

I hereby certify that on March 18, 2019, a true and accurate copy of this document, filed through ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and sent via first-class mail to the attorney of record for the Plaintiff:

David B. Summer, Esq.  
100 State Street, Suite 900  
Boston, MA 02109

/s/ Michaela C. May